

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GIBSON BRANDS, INC., a Delaware)
corporation,)
Plaintiff/Counterclaim-Defendant,) Case No. 4:19-cv-00358-ALM
vs.)
ARMADILLO DISTRIBUTION)
ENTERPRISES, INC.; CONCORDIA)
INVESTMENT PARTNERS, LLC,)
Defendant/Counterclaim-Plaintiff)
DOES 1 through 10,)
Defendants.)

**PROPOSED ORDER GRANTING PLAINTIFF'S
EMERGENCY MOTION FOR CIVIL CONTEMPT**

Having considered Plaintiff Gibson Brands, Inc.'s motion (and support) for civil contempt, the court **ORDERS** that Gibson Brands, Inc.'s motion for civil contempt is **GRANTED**.

The court **FINDS** that the evidence of record clearly and convincingly shows that the Defendants have completely disregarded and wholly failed to comply with the Permanent Injunction found in the Final Judgment of July 28, 2022, *e.g.*, Defendants' continued advertisement, marketing and sale of Dean V and Dean Z guitars, despite multiple attempts by Plaintiff's counsel resolve the issues.

Based on the forgoing facts, this Court **FINDS** Defendants Concordia Investment Partners, LLC and Armadillo Distribution Enterprises, Inc. in contempt of court for its violation of this court's Permanent Injunction order entered July 28, 2022.

This Court further **FINDS** that Plaintiff has sustained monetary losses and incurred costs and expenses, including attorney's fees, as a result of Armadillo's contempt of court.

This Court **ORDERS** that Defendants Concordia Investment Partners, LLC and Armadillo Distribution Enterprises, Inc. shall pay a fine in the amount of \$2,000 a day starting from the date of Final Order of July 28, 2022 until Defendants comply completely with the Permanent Injunction issued by this Court.

This Court further **ORDERS** that if the contempt is not remedied by the 10th day following this order, that an administrator be chosen by Gibson and said administrator have access to the Dean Guitars website and remove any and all references to the Dean V and Dean Z.

This court further **ORDERS** that Defendants shall, by 5:00 p.m. on the ____ day of October, 2022, also pay by certified funds to Plaintiff Gibson Brands, Inc. (c/o counsel of record for plaintiff) an award of Plaintiff's attorney's fees the sum of ____ dollars (\$_____) (USD) to compensate Plaintiff for the legal fees and expenses it sustained as a result of Armadillo's contempt of court.

SO ORDERED.